

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

27 MAY 1986

S. Michael Tymiak, P.E.
Manager, Previously Operated Properties
Environmental Resources
Koppers Company, Inc.
1940 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219

Re: South Cavalcade site

Dear Mr. Tymiak:

In your letter dated May 5, 1986, you requested comment/approval from the U.S. Environmental Protection Agency (EPA), Superfund Enforcement Section, to release liquid wastes generated during the Remedial Investigation at the South Cavalcade site to the Houston sanitary sewer for treatment by a Houston POTW. In your letter you also requested that EPA Superfund Enforcement Section provide comment/approval on behalf of all appropriate Federal Agencies relative to this matter.

Pertinent to this issue, EPA recently advanced a set of proposed criteria for discharging CERCLA liquid wastes to a POTW. Enclosed is a copy of the April 15, 1986 Memorandum delineating those proposed criteria.

EPA's understanding of the site specific facts are as follows: (1) the washwater is contaminated with creosote constituents, (2) individual pollutant concentrations less than one part-per-million and (3) this water will be released in lots of eight thousand gallons per day to the Houston North Side POTW. Based on these facts, and the aforementioned criteria, EPA Superfund approves the release(s) of the water to the Houston POTW, per the permission/comments of the City of Houston, Department of Public Works. In a letter dated May 20, 1986, EPA also expressed its approval to the Texas Water Commission; a copy of that letter is also enclosed.

EPA Superfund Enforcement cannot specifically provide comment/approval on behalf of all appropriate Federal Agencies in relation to this matter. However, EPA is tasked as the lead agency within the Federal government to oversee environmental legislation and we can provide comment regarding "compliance" with the following environmental legislation: the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); the Clean Water Act (CWA); the Resource Conservation and Recovery Act (RCRA); and the Toxic Substances Control Act (TSCA). We have provided our approval relative to CERCLA. Since these liquid wastes are neither listed nor characteristic RCRA wastes, RCRA legislation does not apply. The TSCA regulations do not apply since this area of concern is already addressed by the CWA. Under authority of the CWA, regulation of discharges into the sewer system has been delegated to the City of Houston through their approved NPDES pretreatment program. Available data indicates that

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the proposed discharge does not appear to exceed numerical limitations for any specific pollutants that have been submitted to the EPA for local limit approval. It also does not appear that the proposed discharge will pose a threat with regards to pass-through or interference. However, as Control Authority, the city of Houston must evaluate the proposed discharge and the performance history of the receiving POTW to determine whether general prohibitions and goals of the city's pretreatment program will be violated. The discharge should not be made into any POTW which is in violation of its NPDES permit.

Should you have any questions please contact John at (214) 767-9700.

Sincerely yours,

Larry D. Wright, Chief
Superfund Enforcement Section

Enclosures

cc: C. Smith, DPW, Houston
D. Sorrells, TWC
B. Tobin, MRA

bcc: B. Luthans, 6W-PM
B. Taylor, 6H-CE

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